

## Director's Order

Director's Order Number

1-1489998844

### Director's Order Issued To

BRUKEL CONSTRUCTION LIMITED  
1135 LANSLOWNE ST W UNIT 100, PETERBOROUGH, ON, K9J 7M2

DENIS GERARD AND LORAIN JOSEPHINE WRIXON  
2036 CAMPBELL AVE , CAVAN MONAGHAN, ON, K9J 6X4

JURGEN VANDER VELDEN, AND VERONA SULJA  
2029 CAMPBELL AVE , CAVAN MONAGHAN, ON, K9J 6X4

KEITH DAVID JAMIESON & THI CAM VAN TRAN  
215 WOLSELY ST , PETERBOROUGH, ON, K9H 4Z5

KEITH RICHARD CARTER  
2025 CAMPBELL AVE , CAVAN MONAGHAN, ON, K9J 6X4

LUIGI AND SANDRY ANN TROZZOLO  
2016 CAMPBELL AVE , CAVAN MONAGHAN, ON, K9J 6X4

MARTIN MICHAEL JOKAY  
2033 CAMPBELL AVE , CAVAN MONAGHAN, ON, K9J 6X4

MIJAR LIMITED  
121 GEORGE ST N , PETERBOROUGH, ON, K9J 3G3

PETERBOROUGH CONCRETE FLOOR CO. LTD.  
2126 DAVIS RD , CAVAN MONAGHAN, ON, K9J 6X4

R. E. KEMP CONSTRUCTION LIMITED  
2045 CAMPBELL AVE , CAVAN MONAGHAN, ON, K9J 6X4

ROBERT JOHN AND VIRGINIA GAIL NEVILLE  
2019 CAMPBELL AVE , CAVAN MONAGHAN, ON, K9J 6X4

### Site

2026 Campbell Avenue

Refer to the Definitions section in Part B of this Director's Order, for the meaning of all the capitalized terms that are used in this Director's Order.

## PART A - WORK ORDERED

Pursuant to my authority under **EPA | 18 | (1), EPA | 43, EPA | 182.1 | (1)**, I order you, jointly and severally, unless otherwise indicated, to do the following:

**Item No. 1      Compliance Due Date:    Oct-31-2025**

By October 31, 2025, the Principal Orderes shall remove and transport the waste stockpile located at 2026 Campbell Ave. using an Approved Waste Management System and have the waste deposited at an Approved Waste Disposal Site(s).

**Item No. 2      Compliance Due Date:    Nov-07-2025**

By November 7, 2025, the Principal Orderes shall submit to the Director by email to david.bradley@ontario.ca and to peterborough.environment@ontario.ca the name and ECA number or EASR registration number of the Approved Waste Management System(s) used to remove and transport the waste stockpile and the name of the Approved Waste Disposal Site that accepted the waste

**Item No. 3      Compliance Due Date:    Nov-21-2025**

By November 21, 2025, the Principal Orderes shall retain the services of a Qualified Person to carry out the work as described in Work Ordered Item Nos. 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13.

**Item No. 4      Compliance Due Date:    Nov-21-2025**

By November 21, 2025, the Principal Orderes shall submit to the Provincial Officer written confirmation from the Qualified Person by email to david.bradley@ontario.ca and to peterborough.environment@ontario.ca that they have, (1) received a copy of the Order; (2) been retained to carry out the work as described in Work Ordered Item Nos.4, 5, 6, 7, 8, 9, 10, and 11; and (3) the experience and qualifications to carry out such work.

**Item No. 5      Compliance Due Date:    Dec-31-2025**

By December 31, 2025, the Principal Orderes shall have the Qualified Person conduct an environmental site assessment of the Site to determine whether there is waste on any of the six properties (2016, 2019, 2025, 2026, 2029, 2033, 2036 Campbell Avenue), to characterize the quantity, location and nature of the waste, to assess whether the waste is causing any adverse effects or environmental impacts, and provide recommendations as to whether and how the waste can be managed in-situ or whether the waste must be removed, and have the Qualified Person prepare an assessment report

**Item No. 6      Compliance Due Date:    Jan-31-2026**

By January 31, 2026 the Principal Orderees shall have the Qualified Person submit the site assessment report to the Director by email at david.bradley@ontario.ca and peterborough.environment@ontario.ca for review by Ministry technical support staff.

**Item No. 7      Compliance Due Date:    Mar-31-2026**

Upon service of this Order and until March 31, 2026, Luigi and Sandry Ann Trozzolo shall provide reasonable access to 2016 Campbell Avenue by the Qualified Person retained by the Principal Orderees, and any person and equipment the Qualified Person considers necessary, for the purposes of carrying out the work described in the Work Order Item Nos. of this Order.

**Item No. 8      Compliance Due Date:    Mar-31-2026**

Upon service of this Order and until March 31, 2026, Robert Neville and Virginia Neville shall provide reasonable access to 2019 Campbell Avenue by the Qualified Person retained by the Principal Orderees, and any person and equipment the Qualified Person considers necessary, for the purposes of carrying out the work described in the Work Order Item Nos. 1 to 5 of this Order.

**Item No. 9      Compliance Due Date:    Mar-31-2026**

Upon service of this Order and until March 31, 2026, Keith Richard Carter shall provide reasonable access to 2025 Campbell Avenue by the Qualified Person retained by the Principal Orderees, and any person and equipment the Qualified Person considers necessary, for the purposes of carrying out the work described in the Work Order Item Nos. 1 to 5 of this Order.

**Item No. 10      Compliance Due Date:    Mar-31-2026**

Upon service of this Order and until March 31, 2026, Keith Jamieson shall provide reasonable access to 2026 Campbell Avenue by the Qualified Person retained by the Principal Orderees, and any person and equipment the Qualified Person considers necessary, for the purposes of carrying out the work described in the Work Order Item Nos. 1 to 5 of this Order.

**Item No. 11      Compliance Due Date:    Mar-31-2026**

Upon service of this Order and until March 31, 2026, Jurgen Vander Velden and Verona Sulja shall provide reasonable access to 2029 Campbell Avenue by the Qualified Person retained by the Principal Orderees, and any person and equipment the Qualified Person considers necessary, for the purposes of carrying out the work described in the Work Order Item Nos. 1 to 5 of this Order.

**Item No. 12      Compliance Due Date:    Mar-31-2026**

Upon service of this Order and until March 31, 2026, Martin Michael Jokay shall provide reasonable access to 2033 Campbell Avenue by the Qualified Person retained by the Principal Orderees, and any person and equipment the Qualified Person considers necessary, for the purposes of carrying out the work described in the Work Order Item Nos. 1 to 5 of this Order.

**Item No. 13      Compliance Due Date:    Mar-31-2026**

Upon service of this Order and until March 31, 2026, Denis Gerard and Loraine Josephine Wrixon shall provide reasonable access to 2036 Campbell Avenue by the Qualified Person retained by the Principal Orderees, and any person and equipment the Qualified Person considers necessary, for the purposes of carrying out the work described in the Work Order Item Nos. 1 to 5 of this Order.

## **PART B – DIRECTOR'S REPORT**

This Director's Order is being issued for the reasons set out below.

### **Definitions**

For the purposes of this Director's Order, the following capitalized terms shall have the meanings set out below:

"Director's Order" means this Director's Order Number 1-1489998844, as it may be amended.

"Approved Waste Management System" means a person who possesses a valid Environmental Compliance Approval, or is registered in the Ontario Environmental Activity and Sector Registry (EASR), for a non-hazardous waste management system.

"Approved Waste Disposal Site" means waste disposal site that possesses a valid Environmental Compliance Approval to accept the waste.

"Contaminants of Concern" means, collectively, petroleum hydrocarbons (PHCs); benzene, toluene, ethylbenzene, and xylene (BTEX), and Metals and Inorganics.

"Director" means a person appointed in writing by the Minister of the Environment, Conservation and Parks, pursuant to section 5 of the EPA for the purposes of sections 18 and 43 of the EPA.

"District Manager" means the District Manager of the Peterborough District Office of the Ministry.

"Environmental Compliance Approval" or "ECA" means an environmental compliance approval issued under Part II.1 of the EPA.

"EPA" means the Environmental Protection Act, R.S.O. 1990, c. E.19.

"Ministry" or "MECP" means the Ministry of the Environment, Conservation and Parks.

"Order" means this Director's Order No. 1-1489998844 as it may be amended.

"Principal Orderees" means collectively Peterborough Concrete Flooring Company, R.E. Kemp Construction Limited, Brukel Construction Limited and MIJAR Ltd.

"Site" means the properties municipally known as 2016, 2019, 2025, 2026, 2029, 2033, 2036 Campbell Avenue, Cavan Monaghan, ON, K9J 6X4.

### **Description of Person(s) Subject to the Director's Order**

Peterborough Concrete Flooring Company is an Ontario incorporated company, (Ontario Corporation Number 404443). The Peterborough Concrete Flooring Company operated the historical waste disposal site located at the Site during the 1970s.

R.E. Kemp Construction Limited is an Ontario incorporated company (Ontario Corporation Number 348536). R.E Kemp Construction Limited owned and/or had control and management of the historical waste disposal site located at the Site approximately from the early 1990s to as late as 2008 when it sold the last remaining parcel of land, 2026 Campbell Ave.

Brukel Construction Limited is an Ontario incorporated company (Ontario Corporation Number 1000749839). Brukel Construction Limited owned 2026 Campbell Avenue from July 23, 1997 to September 23, 2021.

MIJAR Ltd. is an Ontario incorporated company (Ontario Corporation Number 1559712). MIJAR Ltd. arranged for the larger parcel to be subdivided in the early 1990s..

Keith Jamieson is the current owner of 2026 Campbell Ave, one of the properties that is part of the Site.

Luigi and Sandry Ann Trozzolo are the current owners of 2016 Campbell Ave, one of the properties that is part of the Site.

Robert John and Virginia Gail Neville are the current owners of 2019 Campbell Ave, one of the properties that is part of the Site.

Keith Richard Carter is the current owner of 2025 Campbell Ave, one of the properties that is part of the Site.

Vander Velden Jurgen and Verona Sulja are the current owners of 2029 Campbell Ave, one of the properties that is part of the Site.

Martin Michael Jokay is the current owner of 2033 Campbell Ave, one of the properties that is part of the Site.

Denis Gerard and Loraine Josephine Wrixon are the current owners 2036 Campbell Ave, one of the properties that is part of the Site.

### **Description of the Site and/or System/Facility**

A historical waste disposal site is located on 2026 Campbell Avenue in the Township of Cavan Monaghan.

Based on available evidence as described in the Reasons for the Director's Order section below, I reasonably believe that the historical waste disposal site also extends on to the properties of 2016 Campbell Avenue, 2019 Campbell Avenue, 2025 Campbell Avenue, 2026

Campbell Avenue, 2029 Campbell Avenue, 2033 Campbell Avenue, and 2036 Campbell Avenue.

The Site area is residential, and each of the properties that constitute the Site are privately serviced and rely on local groundwater for their domestic and drinking water supplies.

### **Reasons for the Director's Order**

According to a review of available property records and aerial photographs, I reasonably believe that a historical, unapproved waste disposal site was active at the Site from 1964 to 1988. During this period, at least part of the larger property was owned by Lillian B O'Neill. Ms. O'Neill was a director of the Peterborough Concrete Flooring Company and permitted the company to deposit waste within a portion of the larger property which now constitutes the Site.

The larger property was subdivided in 1993. The process of subdividing the larger property was carried out between 1988 to 1993. MIJAR Limited facilitated the subdivision through an agreement between the company and Ms. O'Neill and other property owners in the area and also acquired some of the land that ultimately became the seven properties that currently constitute the Site.

Some or all of the properties that constitute the Site were subsequently transferred to or assigned to R. E. Kemp Construction limited. On September 6, 1996 a building permit application for 2016 Campbell Avenue was submitted with the Contractor being listed as R.E. Kemp Construction. R.E Kemp Construction was also responsible for overall development of the site including grading, stormwater controls and road development and therefore responsible for oversight of excavation work at the site. R.E. Kemp Construction Limited then transferred most of the properties to individual homeowners, some of whom still own the properties, some of whom subsequently sold the properties again. One of the properties, 2026 Campbell Avenue, was sold to Brukel Construction Limited and subsequently sold to Keith Jamieson and Tri Than. None of the property owners were likely to have had any knowledge that the property being purchased was part of and formerly used as a waste disposal site.

After Keith Jamieson and Tri Than purchased the last remaining undeveloped lot, 2026 Campbell Avenue, from Brukel Construction Limited in 2021, they retained Nick Carchidi Excavating to conduct excavations on the property. Mr. Jamieson reported to the Ministry on July 7, 2023, that during the excavation of the property, the excavation company had found what they suspected to be a burn pit. Mr. Jamieson later had the excavation expanded to determine the extent of the buried waste, which resulted in the current waste pile on the property.

This Site had not previously been identified as a Waste Disposal Site by the Ministry and the Ministry does not have any records of the Site being used for this purpose.

Based upon review of aerial imagery available from 1964 to 1988, landfilling activities were observed on the lot that would later become the subdivision. Landfilling operations were observed to have been taking place beginning at the front (south) of site towards Sherbrooke Street and moved to the northward towards a warehouse/storage shed building where it appears that waste was brought into the Site to create a level area to use as a yard for equipment, this was a common practice at the time.

A storm water management report was produced by Greer Galloway in October, 1990. This report included Site Grading Plans GR1 and GR2. This report notes that waste was found close to surface in the area of GR1 with single consistent overburden layer that was between 18" and 3' thick + 3-4 inches of topsoil. This is consistent with a plan to add fill in this area and appears to have been added directly over waste to create desired slope and hide waste.

It is well-known that once waste is deposited in the ground, it can begin to break down and numerous contaminants can be created. These contaminants can be discharged into the natural environment through various means including leaching out into groundwater and subsequently rise to the surface and be discharged to the air. Given the unknown extent or nature of the waste at the Site and that the residential area is private serviced and relying on the local groundwater supply for domestic and drinking water needs, the Director reasonably believes, that the Site could be potentially causing an adverse effect as defined by the EPA, to the natural environment.

### **Authority to Issue the Director's Order**

I am issuing this Director's Order under my authority as a Director under the following legislation, which also includes the authority to take intermediate action and/or procedural steps:

This Director's Order is being issued under the following legislation

Sections 18 and 43 of the EPA

Therefore, based on the foregoing, I reasonably believe that the Principal Orderes were previously or are currently the owners or persons in charge, management or control of the undertaking at the Site or the Site that has been identified as a historical Waste Disposal Site and that the requirements specified in the Director's Order are i necessary or advisable so as to prevent, or reduce the risk of any discharge of contaminants that may result from the breakdown of waste into the natural environment from the property, or to prevent, decrease or eliminate an adverse effect, that may result from (i) the discharge of a contaminant from the undertaking, or (ii) the presence or discharge of a contaminant in, on or under the property.

I further reasonably believe that waste was deposited at the Site, the Site was or is not approved as a waste disposal site, and that the Principal Orderes were an owner or previous owner or a person who otherwise has or had charge and control of the land or waste or engaged in an activity that caused, permitted or arranged for the deposit of waste at the Site. I have authority to order that a thing be done on or in any place and to order any person who owns, occupies or has the charge, management or control of the place to permit access to the place for the purpose of doing the thing and reasonably believe that the requirements specified



in this Order are necessary and advisable.

### **Attachments**

The attachments listed below, if any, form part of this Director's Order:

**ISSUING DIRECTOR**

## **APPEAL TO THE ONTARIO LAND TRIBUNAL INFORMATION**

### **REQUEST FOR HEARING**

You may require a hearing before the Ontario Land Tribunal if, within 15 days of service of this Director's Order, you serve written notice of your appeal on the Ontario Land Tribunal and the Director at the addresses indicated under the Contact Information heading below. Your notice of appeal must state the portions of this Director's Order for which a hearing is required and the grounds on which you intend to rely at the hearing. If notice of the proposal to issue this Director's Order was given to the public on the Environmental Registry, the Minister of the Environment, Conservation and Parks will place notice of your appeal on the Environmental Registry.

### **CONTACT INFORMATION**

Registrar  
Ontario Land Tribunal  
655 BAY STREET, SUITE 1500  
TORONTO, ON M5G 1E5  
Email: OLT.Registrar@ontario.ca

and Director  
Ministry of the Environment,  
Conservation and Parks  
Drinking Water and Environmental Compliance Division  
135 ST CLAIR AVE W, 8TH FLR  
TORONTO, ON M4V 1P5  
Office Email: DWECD  
Fax: () -

Further information regarding the requirements and procedures of the Ontario Land Tribunal can be obtained directly from the Tribunal at:

Tel: (416) 212-6349, Toll Free: 1(866) 448-2248 or [www.olt.gov.on.ca](http://www.olt.gov.on.ca)

### **SERVICE INFORMATION**

Service of the documentation referred to above can be made personally, by mail, by fax (in the case of the Director only), by commercial courier or by email in accordance with the legislation under which this Director's Order is made and any corresponding service regulation.

### ADDITIONAL INFORMATION

Unless stayed by the Ontario Land Tribunal, this Director's Order is effective from the date of service.

Failure to comply with a requirement of this Director's Order constitutes an offence. Unless otherwise indicated, the obligation to comply with a requirement of this Director's Order continues on each day after the specified compliance date until the obligation has been satisfied.

The requirements of this Director's Order are minimum requirements only and do not mean that you are not required to comply with any other applicable legal requirements, including any:

- statute, regulation, or by-law;
- federal, provincial, or municipal law; or
- applicable requirements that are not addressed in this Director's Order.

The requirements of this Director's Order are severable. If any requirement of this Director's Order, or the application of any requirement to any circumstance, is to be held invalid or unenforceable, such finding does not invalidate or render unenforceable the requirement in other circumstances. It also does not invalidate or render unenforceable the other requirements of this Director's Order.

Further orders may be issued in accordance with the legislation as may be appropriate.

This Director's Order is binding upon any successors or assignees of the persons to whom this Director's Order is issued.

**The procedures to request a hearing and an appeal of this Director's Order and other information provided above are intended as a guide. The legislation should be consulted for additional details and accurate reference. Further information can be obtained from e-Laws at [www.ontario.ca/laws](http://www.ontario.ca/laws).**